

PATENT COOPERATION TREATY

POLSTER, LIEDER,
WOODRUFF & LUCCHESI

MAY 12 2005

RECEIVED

PCT

NOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

From the INTERNATIONAL BUREAU

To:

BOOKS, Mark, E.
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive
Suite 200
St. Louis, MO 63131-3615
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 06 May 2005 (06.05.2005)			
Applicant's or agent's file reference KEDI 8306WO		IMPORTANT NOTICE	
International application No. PCT/US2003/030128	International filing date (day/month/year) 25 September 2003 (25.09.2003)	Priority date (day/month/year)	
Applicant EVEREST BIOMEDICAL INSTRUMENTS et al			

1. Notice is hereby given that the International Bureau has **communicated**, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DZ, EP, HU, KG, KP, KR, MD, MK, MZ, RU, SY, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 06 May 2005 (06.05.2005) under No. WO 2005/041148

4. **TIME LIMITS for filing a demand for international preliminary examination and for entry into the national phase**

The applicable time limit for entering the national phase will, **subject to what is said in the following paragraph**, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of **19 months** from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, **time limits other than the 30-month time limit** will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For **regular updates on the applicable time limits** (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a demand for international preliminary examination, see the *PCT Applicant's Guide*, Volume I/A, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's **sole responsibility** to monitor all these time limits.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Yolaine Cussac
Facsimile No. +41 22 740 14 35	Facsimile No. +41 22 338 70 80

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/30128

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G09B 23/28

US CL : 434/262,267,270

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 434/262,267,270;381/23.1,122,312,314,328,355;379/52;600/25;607/55,136,137;623/10

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5,923,764 A (SHENNIB et al) 13 June 1999 (13.06.1999), entire document	1-29
X	US 6,402,782 B1 (SIBBAULD et al) 11 June 2002 (11.06.2002), entire document	29
Y		1-28
X	US 6,267,599 B1 (BAILEY) 31 July 2001 (31.07.2001), entire document	20-24
Y		1-19,25-29
Y	US 4,992,966 A (WIDIN et al) 12 February 1991 (12.02.1991), entire document	20-29
Y	US 6,336,812 B1 (COOPER et al) 08 January 2002 (08.01.2002), entire document	1-29
Y	US 5,997,307 A (LEJEUNE, JR.) 07 December 1999 (07.12.1999), entire document	1-19

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

12 February 2004 (12.02.2004)

Date of mailing of the international search report

09 MAR 2004

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703)305-3230

Authorized officer

Tom Hughes

Telephone No. 703-305-4558

Sheila H. Veney
Patrol Specialist
Tech. Center 3700